

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE SOUTHERN DISTRICT OF FLORIDA

3 CASE NO. 1:22-cv-24066-KMM

4 GRACE, INC., et al.,
5 Plaintiffs,
6 vs.
7 CITY OF MIAMI,
8 Defendant.

9
10 DEPOSITION OF

11 STEVEN MIRO

12
13
14
15 Wednesday, October 4th, 2023
16 9:23 a.m. to 11:15 a.m.
333 Southeast 2nd Avenue
Suite 3200
Miami, Florida 33131

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20
21
22 Taken on behalf of the Defendant before
23 Mayra Texeira, Shorthand Reporter and Notary Public
24 in and for the State of Florida at Large, pursuant
25 to Notice of Taking Deposition in the above cause.

APPEARANCES

On behalf of the Plaintiffs:

American Civil Liberties Union Foundation
336 East College Avenue
Suite 203
Tallahassee, Florida 32301
BY: DANIEL TILLEY, ESQUIRE
BY: NICHOLAS WARREN, ESQUIRE

On behalf of the Defendant:

GRAY|ROBINSON, P.A.
333 Southeast 2nd Avenue
Suite 3200
Miami, Florida 33131
BY: CHRISTOPHER JOHNSON, ESQUIRE
BY: GEORGE LEVESQUE, ESQUIRE

- - - - -

I N D E X

Witness	Direct	Cross
Steven Miro	4	---

E X H I B I T I N D E X

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1 Thereupon:

2 STEVEN MIRO

3 was called as a witness and, having been first duly
4 sworn, was examined and testified as follows:

5 DIRECT EXAMINATION

6 BY MR. JOHNSON:

7 Q. Good morning, Mr. Miro. My name is Chris
8 Johnson. Would you please state your full name for
9 the record.

10 A. Steven Miro.

11 Q. And what is your date of birth?

12 A. [REDACTED].

13 Q. What is your --

14 A. I'm exempt from Florida statute on that,
15 too.

16 Q. Okay. What is your current address?

17 A. I'm exempt from Florida statute 119.072.

18 Q. Okay. So we won't file that with the
19 Court, but for the purposes of the deposition what's
20 your address?

21 MR. TILLEY: Can we do this off the
22 record or --

23 MR. JOHNSON: Well, I mean, we've
24 already had his date of birth on the
25 record. So we might -- we have to redact

1 that page anyway if we file it.

2 THE WITNESS: Fine. If they redact it
3 I'm all right with it.

4 A. [REDACTED]

5 [REDACTED].

6 Q. And do you know which City of Miami
7 district that is currently located in?

8 A. Currently District 3.

9 Q. So have you ever been deposed before?

10 A. Yes.

11 Q. Approximately how many times?

12 A. Over ten.

13 Q. Okay. I was going to ask what kind of
14 cases, but we'll get to that in a second.

15 Have you ever testified in court before?

16 A. Yes.

17 Q. Approximately how many times?

18 A. Four or five.

19 Q. So I'll go through the rules very quickly.

20 You're probably very familiar with them. I'm going
21 to ask you a series of questions. Please listen
22 carefully. Be careful not to try to talk over me
23 with your answers because we have a court reporter
24 taking everything down stenographically and she
25 can't create a good record. She also can't create a

1 record if you do a head nod or make a sound or an
2 affirmative or negative noise because that also does
3 not come across in the court record.

4 Do you understand that?

5 A. Yes.

6 Q. If you have any questions about my
7 question, if you don't understand it, please ask me
8 to clarify. If you answer I'll assume you understood
9 it. Is that fair?

10 A. Yes.

11 Q. Do you understand that all your statements
12 are being recorded today?

13 A. Correct.

14 Q. If you need a break, let me know. That's
15 fine. All I ask is that we don't have a question
16 pending and then we can go ahead and take a break.

17 A. Okay.

18 Q. Are you on any medications today that may
19 affect your ability to testify?

20 A. No.

21 Q. Are you on any medications that may affect
22 your memory?

23 A. No.

24 Q. Do you have any conditions that may affect
25 your memory or ability to testify?

1 A. No.

2 Q. So did you prepare for this deposition
3 today?

4 A. Yes.

5 Q. What did you do to prepare?

6 A. I met -- yesterday I met with the legal
7 team going through an array of questions.

8 Q. I'm not going to ask you about what you
9 discussed with your legal team.

10 Did you review any documents?

11 A. No.

12 Q. Other than your legal team, did you speak
13 to anyone else in preparation for this deposition
14 today?

15 A. No.

16 Q. Very briefly, what is your educational
17 background?

18 A. Starting from high school?

19 Q. No. Post high school.

20 A. Okay. All right. I went to Tallahassee
21 Community College, Pat Thomas Law Enforcement
22 Academy. I went to Miami-Dade College for police
23 service aid. And then I went to University of Miami
24 for my paralegal certification.

25 Q. Do you have any degrees?

1 A. I have certifications.

2 Q. Okay. What are your certifications?

3 Paralegal?

4 A. Paralegal, FDLE certification, and an
5 array of trainings.

6 Q. Would you please define FDLE for the court
7 reporter?

8 A. Florida Department of Law Enforcement.

9 Q. Are you married?

10 A. Yes.

11 Q. And what's your spouse's name?

12 A. Lauren Galicia.

13 Q. Are you currently employed?

14 A. Yes.

15 Q. Where?

16 A. Jackson Memorial Hospital.

17 Q. What's the nature of your employment?

18 A. Public safety.

19 Q. How long have you been there?

20 A. Approximately over three years.

21 Q. Very briefly, summarize your employment
22 history. You don't need to go into any major depth.

23 A. I worked at Miami Springs PD. Miccosukee
24 PD. Highway Patrol. Key Biscayne PD. City of Miami.
25 Jackson Memorial Hospital.

1 Q. You said PD a number of times. And that's
2 police department. Correct?

3 A. Police department.

4 Q. Did you own a business at one point?

5 A. Yes.

6 Q. Is that Paramount Security?

7 A. Yes.

8 Q. Okay. Do you still own that business?

9 A. No.

10 Q. Have you ever been terminated from
11 employment?

12 A. No.

13 Q. So each of these positions you voluntarily
14 left?

15 A. Yes.

16 Q. Were you terminated from the City of
17 Miami?

18 A. I had pending litigation and I won the
19 case. The case was settled.

20 Q. Okay. But what was the nature of your
21 termination? Was that voluntarily or were you
22 involuntarily terminated?

23 A. I guess involuntary.

24 Q. Have you ever been convicted of a crime?
25 Not asking about traffic or anything like that.

1 A. Never.

2 MR. TILLEY: Make sure you let him
3 finish.

4 Q. Have you ever been charged with a crime
5 involving fraud or misrepresentation or anything of
6 that nature?

7 A. No.

8 Q. Have you ever been charged with a crime?

9 A. No.

10 Q. Have you ever been a party to a lawsuit?

11 A. Yes.

12 Q. Approximately how many lawsuits?

13 A. Over five.

14 Q. Have you ever been involved in a lawsuit
15 with the City of Miami?

16 A. Yes.

17 Q. Approximately how many lawsuits?

18 A. That I am the party of?

19 Q. That you are a party of. Yes.

20 A. Not a witness?

21 Q. Correct. Not a witness.

22 A. Three, I believe.

23 Q. And what are the nature of those three
24 lawsuits? What is the nature of those three
25 lawsuits?

1 A. Two public records requests, which I won,
2 and the whistleblower which was settled.

3 Q. Briefly describe what you're referring to
4 as the whistleblower case.

5 A. I signed a confidentiality agreement.

6 Q. And that confidentiality agreement is with
7 regard to the settlement. Correct?

8 A. Correct.

9 Q. I'm not going to ask you about the
10 settlement, just with regard to the case itself. Did
11 you bring the case or did they bring the case?

12 A. I brought the case.

13 Q. And what were you suing for?

14 A. Whistleblower protection.

15 Q. And you're saying that case settled?

16 A. Yes.

17 Q. And where were you born?

18 A. Miami.

19 Q. I'm going to ask you, because of the
20 nature of this case, questions about your race,
21 ethnicity. How would you define your race and
22 ethnicity?

23 A. Hispanic male.

24 Q. Are your parents from Miami?

25 A. No.

1 Q. Where are they from?

2 A. Cuba.

3 Q. Do you speak any language other than
4 English?

5 A. Yes.

6 Q. What language?

7 A. Spanish.

8 Q. Anything else?

9 A. No.

10 Q. Other than Hispanic and Cuban, do you
11 identify as any other race or ethnicity?

12 A. No.

13 Q. How long have you lived at your current
14 address?

15 A. Since 2014.

16 Q. Have you lived there full-time?

17 A. Yes.

18 Q. Do you maintain any other addresses?

19 A. Maintain as to -- that's the only home I
20 own.

21 Q. All right. And you own that residence?

22 A. Yes.

23 Q. Have you owned it since 2014?

24 A. Yes.

25 Q. When you moved there, did you intend to

1 make that your permanent residence?

2 A. Yes.

3 Q. Do you have any intention to move?

4 A. Eventually, yes.

5 Q. Do you have any current intention to move?

6 A. Current? Not right now.

7 Q. Is that your homestead?

8 A. Yes.

9 Q. And is that listed on your driver's
10 license?

11 A. No.

12 Q. Okay. What address is listed on your
13 driver's license?

14 A. My mailing address.

15 Q. Where is your mailing address?

16 A. [REDACTED].

17 Q. Is that Miami?

18 A. Yes.

19 Q. Do you own that residence?

20 A. No.

21 Q. Who owns that residence?

22 A. My mother.

23 Q. Why don't you list your residential
24 address on your driver's license?

25 A. Because I'm exempt per Florida statute

1 119.072.

2 Q. And the [REDACTED], is
3 that located in the City of Miami?

4 A. No. Unincorporated.

5 Q. Are you a registered voter?

6 A. Yes.

7 Q. What address is listed on your voter
8 registration?

9 A. My home address.

10 Q. The one that you own?

11 A. Yes.

12 Q. Okay. How many city elections have you
13 voted in?

14 A. They're odd years, so approximately four.

15 Q. Do you know what voting precinct you're
16 in?

17 A. I know where it's located.

18 Q. Where is that?

19 A. Beacon Boulevard. It's a fire station.

20 Q. And have you been registered to vote there
21 since 2014?

22 A. I think so.

23 Q. I'm going to ask you about your employment
24 with the City of Miami. So describe the nature of
25 that employment.

1 A. Working under Commissioner Carollo.

2 Q. And when did that begin?

3 A. December 4th, 2017.

4 Q. And how long were you employed by
5 Commissioner Carollo -- or working for Commissioner
6 Carollo?

7 A. Until June of 2018.

8 Q. Did you have a job title?

9 A. District liaison.

10 Q. And what did your duties entail?

11 A. Constituency services. Planning the
12 commission agenda. That's it. That's it.

13 Q. Did you ever have anybody who reported to
14 you?

15 A. Anybody reported to me?

16 Q. Yeah.

17 A. Well, there's a conflict there. There was
18 two that reported to me, but apparently under Joe no
19 one reported to me so --

20 Q. Okay. Who are the two you are referring
21 to?

22 A. Gisela Maestre and Mara Roman, I believe.

23 Q. Can you spell that for the court reporter?

24 A. The last name or which one?

25 Q. Both.

1 A. Maestre, I don't know how to spell it.

2 Roman, R-O-M-A-N.

3 Q. And who did you report to?

4 A. Joe Carollo.

5 Q. So what events led up to your termination?

6 A. I received a letter stating -- very vague,
7 that this date, this time, your services are no
8 longer required.

9 Q. Was there an ethics complaint against you?

10 A. There was. Against me and Joe Carollo,
11 yes.

12 Q. What was the nature of the ethics
13 complaint against you?

14 A. Various issues. Targeting the businesses.

15 Q. And was that ethics complaint filed before
16 or after you were terminated?

17 A. While I was still employed with the city.
18 (Defendant's Exhibit 23, Complaint, was
19 marked for Identification.)

20 Q. I'm showing you what's been marked as
21 Defendant's Exhibit 23, a document in this case
22 called first amended complaint. Are you familiar
23 with this document?

24 A. Yes.

25 Q. Have you seen it before?

1 A. I just got it right now. I don't know if
2 it's the one I saw that was sent to me or not.

3 Q. Well, go ahead and take a minute to review
4 it, then.

5 A. Okay.

6 Q. So is this the first amended complaint in
7 this action?

8 A. It appears to be, yes.

9 Q. Did you review it before it was filed?

10 A. I don't recall.

11 Q. Do you know if you had any input in
12 drafting it?

13 A. I don't recall.

14 Q. Okay. You weren't originally a plaintiff
15 in this action. Correct?

16 A. I think you're correct.

17 Q. How did you come to be a plaintiff in this
18 action?

19 A. I reached out to the legal team saying I
20 wanted to be involved because I live in District 3
21 and I reside within the City of Miami.

22 Q. And why did you want to be involved?

23 A. Because I think what the Court has
24 concluded that the districts have been
25 gerrymandered.

1 Q. How were they gerrymandered?

2 A. Packing people into one district, natural
3 boundaries, going elsewhere, picking and choosing
4 who they want their constituents to be, not allowing
5 public input.

6 Q. Anything else?

7 A. Not right now.

8 Q. Do you understand whether or not not
9 allowing public input is part of this lawsuit?

10 A. Sorry?

11 Q. Do you understand whether or not -- you
12 said not allowing public input. Is that part of this
13 lawsuit?

14 A. I'm not sure. I'm not an attorney.
15 (Defendant's Exhibit 109, Complaint, was
16 marked for Identification.)

17 Q. I'm showing you what's been marked as
18 Defendant's Exhibit 109, a document in this
19 proceeding titled supplemental complaint. Have you
20 seen this document before?

21 A. I don't think so. I'm not sure.

22 Q. Do you know if you had any input into
23 drafting or editing this document?

24 A. I don't recall.

25 Q. I'm going to make that Defendant's 24-83.

1 (Defendant's Exhibit 24-83, Map, was
2 marked for Identification.)

3 Q. I'm showing you a document we've marked as
4 Defendant's 24-83. This is a map of the City of
5 Miami. The document is titled 2022 enacted plan. Do
6 you recognize that document?

7 A. Is this the map that the city just passed?

8 Q. Well, this was in 2022. So this was the
9 map that was enjoined by the Court, if you will
10 accept that representation.

11 A. I don't know what that means. Sorry.

12 Q. Okay. You asked about the map that the
13 city just passed. What are you --

14 A. Yeah. I saw so many maps in the process
15 of -- you know, I don't know which one this is.

16 Q. Okay. Do you have an understanding of what
17 the map looked like before this lawsuit was filed?

18 A. Going back to the '20 -- I believe the
19 2010 map?

20 Q. Well, do you understand that there was a
21 census in 2020?

22 A. Yes.

23 Q. Okay. And you understand that -- whether
24 or not the City of Miami engaged in a redistricting
25 process after that census?

1 A. Correct.

2 Q. Do you have an understanding of what that
3 map looked like when they finished that process?

4 A. No. There were so many changes to it, I --

5 Q. Okay. Well, let me have you take a look at
6 this map. Do you have any issue with this map?

7 MR. TILLEY: Object to the form.

8 A. Yes.

9 Q. Okay. And what are your issues with regard
10 to this map?

11 A. Again, the natural boundaries for
12 District 3. And I'm only going where I live in
13 District 3.

14 Q. Where do you live in District 3?

15 A. Well, you have my address.

16 Q. Okay. On that map. I'm going to hand you a
17 pen. If you can approximately indicate where you
18 live on District 3.

19 MR. TILLEY: I assume we'll redact
20 this as well.

21 MR. JOHNSON: Okay. Let's not mark
22 it, then. We know it's District 3. Okay.

23 Q. Well, let me put it this way. Do you live
24 in what's marked as the Little Havana area there?

25 A. Yes.

1 Q. And that's in the pleadings. Right? So I
2 don't think there is an issue with that. In fact,
3 let's turn to the first amended complaint. If you
4 could look at Defendant's 23, paragraph 27.

5 A. Yes.

6 Q. Okay. So you're a resident of Little
7 Havana in District 3?

8 A. Yeah.

9 Q. Okay. So what's your issue with regard to
10 how District 3 is drawn in this map?

11 A. Well, it goes into another area not
12 keeping Coconut Grove whole. It goes -- it crosses
13 over south US-1. District 3 has never crossed over
14 into US-1.

15 Q. So your issue is the crossing of US-1?

16 A. Yes. Talking about District 3. I mean,
17 they -- the commission, the last map that they
18 passed they spoke for 15 minutes on a barbecue
19 restaurant which they wanted into the district that
20 has no residence whatsoever. It's just a venue.
21 And they spoke about, you know, economic development
22 that they wanted which -- which goes south into the
23 wharf. So they spoke on a multitude of issues and
24 they spoke a lot about race from our amended
25 complaint.

1 Q. Okay. I'm just going to bring you back to
2 this map. All right. So you mentioned four things
3 that you had a problem with that caused you to join
4 the lawsuit. One was about packing of people into
5 one district. Do you think people were packed into
6 District 3 in this map?

7 A. Yeah.

8 Q. When you say people, what people are you
9 referring to?

10 A. People like me.

11 Q. Are you referring to your ethnicity?

12 A. Spanish. Yes.

13 MR. TILLEY: Just make sure to let
14 him finish.

15 Q. Your opinion is that -- one of your
16 objections to this map is you believe that it packed
17 Hispanics into District 3. Correct?

18 A. Yes.

19 Q. Okay. Now, do you see that area where
20 District 3 crosses over US-1? Is that the Natoma
21 Manors area as it's marked?

22 A. Yes.

23 Q. Is it your belief that adding that area in
24 District 3 increased the number of Hispanics in
25 District 3?

1 A. No.

2 Q. Do you believe it decreased the number of
3 Hispanics in District 3?

4 A. I'm not sure if it did or not.

5 Q. If it decreased the number of Hispanics in
6 District 3, then you would agree that that wouldn't
7 have caused the packing of Hispanics. Correct?

8 A. If what you said is correct, then yes.

9 Q. In fact, if there were less Hispanics in
10 Natoma Manors, then the rest of District 3 would be
11 the effect of unpacking District 3, wouldn't it?

12 A. Right. Again, if we go based on natural
13 boundaries, and US-1 is a natural boundary, and,
14 again, they crossed over interjecting into Coconut
15 Grove area.

16 Q. Okay. So -- but if it didn't increase the
17 number of Hispanics, then you would agree that it
18 didn't create any packing. Correct?

19 A. Well, the commissioners picked and choose
20 [sic] who they wanted their residents to be, their
21 citizens.

22 Q. Well, in this case who were they picking
23 and choosing?

24 A. Well, you know, when it comes to their
25 voters' bases, meaning they were -- they actually

1 wanted -- they want to pick and choose the voter
2 base.

3 Q. Who was the commissioner for District 3 in
4 2022?

5 A. Joe Carollo.

6 Q. Okay. Is it your opinion that his voter
7 base was in Natoma Manors?

8 A. No one has voted for him there yet.

9 Q. So that wouldn't actually increase his
10 voter base, would it, if Natoma Manors was added to
11 District 3 -- would it?

12 A. I mean, he was living within the
13 parameters of District 3 and then he decided to move
14 into his Coconut Grove house.

15 Q. Right. So that actually put his house into
16 District 3. Right?

17 A. Yeah. He relocated the district into his
18 house.

19 Q. Is that part of your lawsuit that he
20 shouldn't have done that?

21 A. No. That's my opinion.

22 Q. Okay. Do you have any other objections to
23 District 3 as it's drawn in this map?

24 A. Again, them choosing who they want their
25 voter base to be.

1 Q. Well, what -- I don't understand what you
2 mean by choosing who they want their voter base to
3 be. Do you think that's something that's wrong?

4 A. Absolutely. I mean, imagine me as a
5 constituent if I called the city because I got a
6 pothole outside and, you know what, the commission
7 says, I'm not going to handle this issue because I
8 go to the Towers and I get 100 votes as opposed to
9 Steven and his wife.

10 Q. Is that the basis for this lawsuit?

11 A. No. But that's my opinion.

12 Q. Okay. I'm just asking for the basis of
13 this lawsuit. I mean, you understand that in this
14 lawsuit you're alleging that the drawing of the
15 districts were unconstitutional?

16 A. Correct.

17 Q. That they violated equal protection?

18 A. Right.

19 Q. Is it your opinion that choosing your
20 voters based on who supports you and potholes
21 violates the protection act?

22 A. No. Again, that's my opinion. But, again,
23 when you pack areas over, you know -- when you pack
24 areas that that's -- that becomes an issue. And you
25 decide to, you know, go into negotiations with other

1 commissioners as to what areas you want, what areas
2 you don't want, I have an issue with that.

3 Q. Okay. Do you believe that kind of
4 negotiation shouldn't be part of the process?

5 A. It should under the Sunshine.

6 Q. All right. If it's done in public, do you
7 believe that that should or should not be part of
8 the process?

9 A. Well, it should. The thing is, you know,
10 if you go speak in the public forum it's -- you're
11 wasting your breath for two minutes.

12 Q. Okay. I just want to focus on the
13 allegations of the lawsuit. So with regard to the
14 issues you raised about the so-called
15 gerrymandering.

16 A. Yes.

17 Q. Do you think part of this lawsuit is to
18 stop political gerrymandering?

19 A. I don't know what that means.

20 Q. Okay. So if a commissioner,
21 hypothetically, were to gerrymander his district or
22 her district for certain political benefits, do you
23 think that's right or wrong?

24 A. You're asking for my opinion?

25 Q. Yes.

1 A. I think it's wrong.

2 Q. Do you think that's part of this lawsuit?

3 A. I don't know.

4 Q. Do you think that's what was done here?

5 A. I think they picked who they wanted as
6 their constituents and what areas they wanted, what
7 areas they didn't want. Yes.

8 Q. For political reasons?

9 A. For whatever reason -- whatever reason
10 they had. I don't know.

11 Q. Okay. Well, what reason do you believe
12 they had?

13 A. I don't know. You have to speak to them
14 on that.

15 Q. Okay. So you don't have an opinion as to
16 what the reasoning was for somebody --

17 A. Their reasoning, no. I don't know what
18 their reasoning was besides what they put on the
19 record.

20 Q. Okay. With regard to any of the other
21 districts -- we talked about District 3 -- do you
22 have any opinion about the shape of these other
23 districts?

24 A. I have an opinion, yes, that District 5
25 went further south, including the wharf. Again,

1 it's -- there is no residency there. There is only
2 just financial benefit within that scope. They
3 clearly stated the District 5 commissioner didn't
4 want to go into Morningside because then she loses
5 more of her base so then she negotiated with, at the
6 time, the indicted commissioner, Alex Diaz De La
7 Portilla, not to go too far east because then she
8 gets Hispanics and it dilutes her packing of the
9 African-Americans.

10 Q. Do you believe African-Americans are
11 packed in District 5?

12 A. I would say so.

13 Q. Okay. Why?

14 A. Again, to retain the power -- you know,
15 their base.

16 Q. Okay. What is your understanding of
17 packing?

18 MR. TILLEY: Objection to form.

19 Q. You used the term. I just want to know how
20 you define it.

21 A. Right. It's when you include a group of
22 your ethnicity into one district --

23 Q. Okay.

24 A. -- that you would think would vote for you
25 or what have you.

1 Q. Is there any size group that -- is there a
2 limit to the size of what you think it becomes
3 packing or is a single person packing?

4 A. I would say -- you know, the districts
5 have to have, you know, based on the census, the
6 voters -- a significant amount of voters in each
7 district. So, for instance, if there is 200,000
8 people in the City of Miami, you gotta divide that
9 by five and that's how you come up practically.

10 Q. Do you have any understanding -- well, do
11 you know what a Voting Rights Act district is?

12 A. Not verbatim, no.

13 Q. Do you have any understanding of whether
14 or not District 5 is a Voting Rights Act district to
15 allow Black residents to be able to elect a
16 candidate of their choice?

17 MR. TILLEY: Object to the form.

18 A. Oh, absolutely. My Godfather was in that
19 lawsuit in 1996 to make it single-member districts.

20 Q. And you agree that they should have a
21 Voting Rights Act district where they can be
22 competitive to elect a candidate --

23 A. Absolutely.

24 MR. TILLEY: Object to the form.

25 MR. JOHNSON: What's the objection?

1 MR. TILLEY: It calls for a legal
2 conclusion.

3 A. Yes.

4 Q. All right. And so what percentage of Black
5 residents do you think there should be in
6 District 5?

7 A. You have to go back to -- I gotta see the
8 data that --

9 Q. I'm asking for your opinion.

10 A. Oh, I -- I can't tell you.

11 MR. TILLEY: Let him finish the
12 question.

13 Q. Do you think there is a particular
14 percentage it should be?

15 A. I can't say without --

16 Q. What data would you need to see?

17 A. The maps. The maps we did.

18 Q. When you're saying the data of the maps,
19 particularly which data?

20 A. The ones that us, the plaintiffs --

21 Q. All right. Yeah. I understand. I'm not
22 asking whose data, I'm saying what kind of
23 information would you need to see to determine what
24 the percentage of the Black voting age population
25 should be in District 5.

1 A. Again, I need to see some type of
2 documentation besides a map.

3 Q. All right. I'm going to have you turn to
4 page 11 of Defendant's 23. So this is the first
5 amended complaint to which you're a party. And on
6 this page there is a lot of population data related
7 to the districts. Is this the sort of information
8 you need to see?

9 A. Which one in specific are you speaking
10 about?

11 Q. Just about District 5. What you think that
12 the percentage of the -- what you think the
13 percentage of the Black voting-age population should
14 be.

15 A. Page 11 doesn't say pretty much of
16 anything. Line 77 says under the 2013 plan.

17 Q. Okay. Tell you what, I'm going to show you
18 some demographic data later. Let's keep going.

19 You were talking about the Downtown area
20 being added to District 5 for economic reasons. Do
21 you think that's why Commissioner King wanted that
22 area in her district?

23 A. In my opinion, yes.

24 Q. Mark that as 82-24. I'm showing you what's
25 been marked as Defendant's 82-24, the same docket

1 entry in this case, a document entitled Resolution
2 23-271.

3 Do you recognize this map?

4 A. It's one of probably the many maps I saw.
5 I can't keep track of all of them.

6 (Defendant's Exhibit 82-24, Map, was
7 marked for Identification.)

8 Q. All right. And in this map you're still
9 in District 3 in Little Havana. Correct?

10 A. I'm not sure.

11 Q. Well, are you currently still in
12 District 3?

13 A. I am. Yes. Now.

14 Q. Do you have an issue with how District 3
15 is drawn in this map?

16 A. Is this the map that they are using now?

17 Q. I'm just asking you, looking at this map
18 if you have an opinion as to -- any objection to how
19 this map is drawn?

20 A. If it was the city's, I had an issue with
21 every map the city drew.

22 Q. All right. If it was the plaintiffs' map
23 you wouldn't have an issue with it?

24 A. I mean, we came with good faith in trying
25 to negotiate with the city.

1 Q. Okay.

2 A. So I would say yes. We did our due
3 diligence.

4 Q. Okay. So if it's the plaintiffs' map
5 you're okay with it, but if it's the city's map
6 you're not?

7 A. No. After seeing the city's map,
8 obviously -- yeah, they're not good.

9 Q. And you can't tell me looking at this map
10 whose map it is?

11 A. It appears to be the city's map.

12 Q. Okay. And do you have any objection,
13 particular specific objections, with this map?

14 A. Again, natural boundaries, packing, and --
15 yeah. That's it.

16 Q. All right. So with regard to packing, do
17 you believe this map packed Hispanics into
18 District 3?

19 A. Again, the commissioners chose who they
20 wanted their constituents to be.

21 Q. Okay. I'm just asking about the packing of
22 Hispanics. Do you believe that this map packed
23 Hispanics in District 3?

24 A. Yes. Some voices would not be heard. Yes.

25 Q. Do you think they should have lowered the

1 number of Hispanics in District 3?

2 A. I don't know what the numbers were, but --
3 I would say, again, if I am in District 3 and I make
4 a constituent call, my voice wouldn't be heard.

5 Q. Okay. I'm just asking you with regard to
6 the issue of packing. There is all kinds of reasons
7 why your voice might not be heard. Right?

8 A. Hypothetically, yes.

9 Q. I mean, you had litigation against the
10 City of Miami. That might be a reason they won't pay
11 attention to something you would say or --

12 A. Yeah. But that shouldn't be a reason.

13 Q. I'm not asking about other reasons. I'm
14 just throwing that out there. I just want to ask you
15 about race now. So with regard to District 3, do you
16 believe that this map packs Hispanics into
17 District 3?

18 A. It packs the demographic that they want
19 within the District 3, yes.

20 Q. All right. And there could be all kinds of
21 different demographics they may want and not want.
22 Right? It could be political -- you need to answer
23 verbally.

24 A. I didn't answer anything.

25 Q. There may be all kinds of reasons that

1 they would want certain populations. Right?

2 A. Correct.

3 Q. Could be political reasons. Right?

4 A. Correct.

5 Q. Donor reasons. Right?

6 A. I don't know about that.

7 Q. Could be areas where they invest in public
8 works and parks that they want to have credit for
9 with the constituents. Right?

10 A. If you say so.

11 Q. No. I'm asking you.

12 A. No. I don't know about that.

13 Q. Did you ever work at a campaign?

14 A. Yes.

15 Q. Whose campaign?

16 A. Joe Carollo.

17 Q. Okay. And he had his campaign running in
18 District 3. Correct?

19 A. Yes.

20 Q. And were those some of the considerations
21 when you run for office, donors?

22 A. Donors, yes. But donors were sought as the
23 county vendors and lobbyists.

24 Q. So leaving out all these other political
25 considerations, again I want to go right back to

1 race.

2 A. Right.

3 Q. Do you believe that this District 3 packs
4 Hispanics -- just Hispanics into District 3?

5 A. The demographics that they wanted, yes.

6 Q. When you say the demographics that they
7 wanted, are you talking about Hispanics or are you
8 talking about other things --

9 A. Hispanics.

10 Q. -- in addition to Hispanics?

11 A. Hispanics. Yes.

12 Q. Okay. Do you believe this map should have
13 lowered the percentage of Hispanics in District 3?

14 A. Not necessarily lowered, but, you know,
15 include more -- you know, other sections of the
16 district.

17 Q. What other sections?

18 A. Well, I gotta see our map so I could
19 decipher.

20 Q. I'm asking you to look at that one. You
21 are familiar. You helped run his campaign in that
22 district. Right?

23 A. This isn't the map we used.

24 Q. Okay. So in this map, Natoma Manors is
25 included in District 3. Correct?

1 A. Correct.

2 Q. And that's south of US-1, isn't it?

3 A. Correct.

4 Q. And Bay Heights is also south of US-1 and
5 it's included in District 3. Correct?

6 A. Correct.

7 Q. And the area to the east of US-1,
8 stretching all the way up to Brickell, is included
9 in District 3.

10 A. Yes.

11 Q. Would you take those areas out of
12 District 3?

13 A. No. I mean, I -- again -- sorry. I -- I
14 don't know.

15 Q. What does it depend on?

16 A. Depends on the packing of the district. I
17 don't know the ratio of how many Hispanics. I don't
18 know --

19 Q. Okay. Do you think they should have
20 lowered the number of Hispanics in District 3?

21 A. Again, I don't know --

22 Q. Okay.

23 A. -- the numbers that they had here.

24 Q. I'm not asking specific numbers.

25 A. You are.

1 Q. I'm just saying should it have gone up or
2 down?

3 A. Again, I will say that the commissioners
4 chose who they want -- wanted their constituents to
5 be.

6 Q. I'm going to bring you back to my question
7 about packing. You did say that you felt there was
8 packing of Hispanics in District 3, didn't you?

9 A. Yes. Certain demographics of packing. Yes.

10 Q. You keep changing that answer to certain
11 demographics.

12 A. No. I've been consistent with my answer.

13 Q. Well, I want to define it. When you say
14 certain demographics, define that for me, then,
15 please.

16 A. You know, the commissioners' voter base,
17 which is 65-plus living in affordable housing, those
18 are the ones that he panders to. This is my opinion
19 and me working on his campaign. This is -- that's
20 mainly what we went after. And therefore it dilutes
21 voices like mine.

22 Q. Who are young, not 65 and not --

23 A. Right. And in affordable housing. Right.
24 That's my opinion as to how they chose their
25 constituents.

1 Q. Okay. I'm showing you what's been marked
2 as Defendant's 82-34. This is a document bearing the
3 same docket entry number and it's titled P-1,
4 Plaintiff's Map 1.

5 Do you recognize this document?

6 A. Yes.

7 Q. Okay. What is this document?

8 A. P-1 Plaintiffs' Map 1.

9 Q. And did you draw this plan?

10 A. Me personally, no.

11 Q. Do you know who drew the plan?

12 A. No.

13 Q. Did you have any input in drawing this
14 plan?

15 A. Yes.

16 Q. And what was the nature of your input in
17 drawing it?

18 MR. TILLEY: Object to the form. I'm
19 sorry. Instructing the witness not to
20 answer.

21 Q. I thought you said you didn't have any
22 input in drawing it. Is that correct?

23 A. I didn't draw it.

24 Q. Okay. Did you have any input in how it
25 would be structured?

1 A. Yes.

2 Q. Okay. Did you attend a meeting and talk
3 about that?

4 A. Yes.

5 Q. Okay. I'm not going to ask you about
6 conversations you had with counsel. Was that meeting
7 with counsel?

8 A. Yes.

9 Q. Did you have any meetings without counsel?

10 A. No.

11 Q. Did you approve this map?

12 A. I think it was an array of all the
13 plaintiffs giving their input so -- approving -- I
14 gave my input in it, yes.

15 Q. Okay. Did you make -- you personally, did
16 you make any specific changes to any of the
17 boundaries in this map?

18 A. Me personally, no.

19 Q. Did you discuss this map with anyone other
20 than your counsel?

21 A. No.

22 Q. Do you know if any of the other plaintiffs
23 made changes to this map?

24 A. I don't know.

25 Q. Looking at this map today, would you make

1 any changes to this map?

2 A. I'm going to say no.

3 Q. And in this map, you still would be in
4 District 3 in Little Havana. Correct?

5 A. I think so. Yes.

6 Q. Do you think this map, compared to the
7 other two maps you looked at, increases or decreases
8 the number of Hispanics in District 3?

9 A. I think it's a fair map. And has
10 probably -- like everyone in possibly Miami that's
11 Hispanic, I think it still has the Hispanics, but,
12 again, it dilutes the voter base of the commissioner
13 and it gives more voices to people like me.

14 Q. How does it dilute the voter base of the
15 commissioner?

16 A. Again, his voter base is 65-plus.

17 Q. So it brings in younger people, less
18 public -- low income housing, I mean?

19 A. It brings in more residential into the
20 districts and it keeps the communities whole.

21 Q. And you're talking about the Shenandoah
22 area there, bringing that area in?

23 A. It keeps the communities whole. Yes.

24 Q. Does it keep all communities whole?

25 A. I don't know about all communities, but it

1 keeps all the communities practically intact.

2 Q. Does it include all of Little Havana in
3 District 3?

4 A. This one I would say yes.

5 Q. All right. So, in your opinion, this does
6 include all of Little Havana?

7 A. It does. Yes.

8 Q. Okay. In your opinion, does it include all
9 of Grapeland Heights? I'm sorry. Is Grapeland
10 Heights kept intact, in your opinion, in this map?

11 A. I'm not sure what Grapeland Heights is.

12 Q. It's labeled in the map.

13 A. I know it is, but -- I mean, three letters
14 go into Allapattah. I don't know.

15 Q. These are labels; they're not necessarily
16 distinctive boundaries so I'm just asking your
17 understanding of what the boundaries of these
18 communities might be, not just where the letter is.

19 A. Well, the natural boundaries look more
20 natural than artificial.

21 Q. What's your definition of a natural
22 boundary?

23 A. Okay. US-1, for instance, Metrorail. An
24 avenue that's a highly populated area. The river.

25 Q. You say roads and avenues can be a natural

1 boundary?

2 A. I'm not an expert in it, but I would say
3 yes.

4 Q. Okay. So do you have an opinion as to
5 whether or not this map splits Edgewater?

6 A. I don't know if it did or not.

7 Q. Do you have an opinion as to whether or
8 not it splits Grapeland Heights?

9 A. I'm not sure.

10 Q. I'm showing you what's been marked as
11 Defendant's Exhibit 82-35, docket entry of the same
12 number, a map titled P2, Plaintiffs' Map 2. Have
13 you seen this document before?

14 A. Yes.

15 (Defendant's Exhibit 82-25, Map, was
16 marked for Identification.)

17 Q. And what is this?

18 A. P2-Plaintiffs' Map 2.

19 Q. And did you draw this map?

20 A. Didn't draw it, no.

21 Q. Did you have any input in actually drawing
22 it?

23 A. Input in drawing it? I had my input, yes.
24 I don't know about drawing it.

25 Q. Was your input before or after it was

1 drawn?

2 A. Before.

3 Q. Okay. And like what we already discussed,
4 a meeting that you had, and I'm not going to ask you
5 about counsel, was it at the same meeting?

6 A. I don't recall many meetings we had.

7 Q. Do you know who actually physically drew
8 the map?

9 A. I do not.

10 Q. Did you make any changes to this map?

11 A. I don't recall.

12 Q. Do you know if any of the plaintiffs made
13 any changes to this map?

14 A. I don't know.

15 Q. What's your opinion of this map?

16 MR. TILLEY: Object to the form.

17 Q. Do you have any objections to this map?

18 A. No.

19 Q. Okay. Do you believe this map preserves
20 communities or it splits them?

21 A. Natural boundaries are intact.

22 Q. I'm not asking about natural boundaries
23 right now, I'm asking about the neighborhood --
24 splitting of neighborhoods. You mentioned that
25 earlier. Correct?

1 A. Correct.

2 Q. All right. Does this map split
3 neighborhoods?

4 A. I don't see.

5 Q. In your opinion, does it include all of
6 Little Havana?

7 A. It includes all of Little Havana. Yes.

8 Q. So your definition of Little Havana, this
9 includes all of it. You consider 8th Street part of
10 Little Havana?

11 A. I don't know if that's 8th Street or
12 Flagler. I can't remember. There were so many maps.
13 Sorry.

14 Q. How about Overtown? In your opinion, does
15 this map split Overtown?

16 A. I mean, I don't -- based on this map I
17 can't remember if it did or not. Over is in a now
18 indicted commissioner and town is in Commissioner
19 King's district.

20 Q. How about Edgewater? Is that split?

21 A. Based on the lettering, yes. Edge is in
22 the green section, which is Covo, and water is in
23 the yellow section which is Commissioner King.

24 Q. Okay. And I apologize. I don't think I was
25 being clear. I understand that there are labels on

1 this map.

2 A. Yes.

3 Q. And those labels are probably there for
4 informational purposes. I'm not saying that those
5 are definitive definitions of the neighborhood where
6 the actual letters are. I'm asking about your
7 understanding, to the extent you have one, of what
8 those neighborhoods are and whether or not this map
9 splits them.

10 To the extent that you have an
11 understanding of what Overtown is, in your opinion,
12 does this map split Overtown?

13 A. I know historic Overtown. I don't know the
14 actual -- you know, where it starts, where it ends,
15 per se. I just know it doesn't resonate --
16 District 5 doesn't go all the way down to the
17 Downtown -- interjecting into the Downtown area.

18 Q. Well, if this map split neighborhoods like
19 Downtown, Edgewater, Overtown, Brickell, Little
20 Havana, would you still be okay with it?

21 A. If it split, yes, I would.

22 Q. Why?

23 A. Because then the voters have more of a
24 voice.

25 Q. Do you know which district you would be

1 living in in this map?

2 A. With 100 percent certainty, I cannot.

3 Q. Is it possible it would be District 1?

4 A. I think -- I think I'll be in District 4.

5 Q. Okay.

6 A. Commissioner Reyes.

7 Q. Do you believe that this district packs or
8 unpacks Hispanics in District 4?

9 A. I think this is a fair map.

10 Q. All right. Let me ask you specific
11 questions about that. I mean, choices have to get
12 made in making a map. Right?

13 A. Right.

14 Q. Sometimes you have to go to natural
15 borders, sometimes you don't. Sometimes you split a
16 neighborhood, sometimes you keep them together.
17 Right?

18 A. Yeah. I guess. I don't draw maps.

19 Q. Some changes will increase the percentage
20 of certain populations, some maps will decrease it.
21 Right?

22 A. I guess.

23 Q. Do you know whether or not this map
24 increases or decreases the percentage of Hispanics
25 in District 4?

1 A. I don't recall.

2 Q. Okay. Does that matter to you?

3 A. I mean, I know I'll be in another
4 district. I -- I'll have a voice.

5 Q. Do you think you would have a greater
6 voice in this District 4 than you would in the
7 District 3 in the maps we marked in earlier from the
8 city?

9 A. Can you repeat the question? Sorry.

10 MR. JOHNSON: Can you read it?

11 (Thereupon, the requested portion of the
12 record was read by the Court Reporter.)

13 A. I have a great relationship with
14 Commissioner Reyes, so yes.

15 Q. Okay. So is there any another reason you
16 think you would have more of a voice in District 4?

17 A. My concerns will be addressed.

18 Q. Would you have any concern if I told you
19 District 4 would be 95 percent Hispanic in this map?

20 A. Well, there is more residential than there
21 is affordable housing. It appears there is more
22 natural boundaries to Flagler.

23 Q. I just -- bringing you back to race. You
24 understand this case is about race?

25 A. Yes.

1 Q. I'm not trying to harp on it other than
2 the fact that it's central to this complaint. Right?

3 A. I'm well aware it's about race. Especially
4 commissioners put it a lot on the record.

5 Q. So I'm going to keep bringing you back to
6 that. And that's your allegation in this case, isn't
7 it?

8 A. Correct.

9 Q. Okay. So if this map puts you in a
10 District 4 that was 95 percent Hispanic, would you
11 be okay with that?

12 A. I don't know if it is 95 percent.

13 Q. I'm asking you if, would that be okay?

14 A. I can't answer that.

15 Q. Why not?

16 A. Because I don't know if it is 95.

17 Q. I'm saying assuming it's 95 percent, would
18 you be okay with that?

19 A. If the courts deem it proper, yes. I'll
20 leave it up to the judge to decide that.

21 Q. All right. Well, you understand the judge
22 bases it upon your allegations. Right? It takes a
23 party to bring a case.

24 A. Right.

25 Q. So I'm asking you, the party, what you

1 think. The judge isn't a party. Right?

2 A. No, he's not.

3 Q. So if this map puts you in a 95 percent
4 Hispanic District 4, would you be okay with that?

5 A. Again, I don't know.

6 Q. Why don't you know? What would you need
7 to know?

8 A. Because I don't know if it is 95 percent
9 with certainty.

10 Q. I'm saying if it was. Assume it's 95
11 percent.

12 A. I can't.

13 Q. Well, you didn't do any of the
14 demographics, did you?

15 A. No.

16 Q. All right. So it's not like you went out
17 and took the census. Right?

18 A. No.

19 Q. So at some point somebody showed you a
20 number and you had to assume that was the correct
21 number.

22 A. Right.

23 Q. All right. So if the plaintiff said that
24 that number is 95 percent there, would you be okay
25 with it?

1 A. Again, I don't know if it's 95 percent.

2 Q. I'm saying assume it is.

3 A. I can't assume.

4 Q. Are you refusing to answer the question?

5 A. I can't answer it based on what you told
6 me.

7 Q. Why?

8 A. Because 95 percent, I don't know if it is
9 and I do not want to make any assumptions.

10 Q. All right. It is 95 percent. Don't assume
11 it. It's 95 percent. I'm representing to you it's 95
12 percent. In fact --

13 MR. JOHNSON: Mark that, please.

14 Q. I'm showing you what's been marked as
15 Defendant's 82-12, document with the same docket
16 entry number in this case titled second expert
17 report of Dr. Carolyn Abott. Have you seen this
18 document before?

19 A. No.

20 Q. Do you know who Dr. Carolyn Abott is?

21 A. Well, she's an expert.

22 Q. And she is an expert for plaintiffs.

23 Correct?

24 A. Yes.

25 Q. She's, in fact, your expert. Correct?

1 A. Yes.

2 Q. And would you agree with her numbers or
3 would you accept them?

4 MR. TILLEY: Objection to form.

5 A. I never saw this. I don't know --

6 Q. I'm going to turn you to page 16. Do you
7 see the table titled P2, the second one down?

8 A. Yes.

9 Q. All right. And do you see Districts 1, 2,
10 3, 4, 5 listed in a column to the left?

11 A. Yes.

12 MR. TILLEY: Make sure he finishes
13 the question.

14 Q. And do you see as you follow the rows
15 across the top a row titled HVAP?

16 A. Yes.

17 Q. And do you understand HVAP is Hispanic
18 voting-age population?

19 A. Yes.

20 Q. And as you scroll down to the fourth cell,
21 which would be the Hispanic voting-age population in
22 District 4, do you see where it says 95.6 percent?

23 A. Yes.

24 Q. Okay.

25

1 (Defendant's Exhibit 82-23, Expert Report, was
2 marked for Identification.)

3 Q. So you no longer have to assume it's 95
4 percent. Your own expert says it's over 95 percent.
5 Right?

6 A. Thank you.

7 Q. Now answer my question. Are you okay with
8 being put into a District 4 that is over 95 percent
9 Hispanic?

10 A. Yes.

11 Q. Why?

12 A. I finally saw the numbers and I didn't
13 want to assume anything. Again, it's more
14 residential dwellings. And, again, I'll have more of
15 a voice.

16 Q. Okay. So it doesn't matter if it's 95
17 percent Hispanic. Correct?

18 A. Well, again, the majority of the folks in
19 Miami are majority Hispanic. You know, District 5 is
20 African-American. That's why the voter rights act
21 got implemented.

22 Q. Do you think it's possible to draw a
23 District 4 that won't be a majority Hispanic?

24 A. You're going to have to do a lot of
25 reshuffling.

1 Q. I'm just asking if you think it's
2 possible.

3 A. I think it's physically impossible.

4 Q. How about District 3? You think it's
5 possible to draw a District 3 that's not majority
6 Hispanic?

7 A. It's almost physically -- it's very hard.
8 You're going to have to go into Brickell Downtown.

9 Q. You have to cross US-1, don't you?

10 A. Right.

11 Q. To lower it at all. Right?

12 A. You also have to cross the Metrorail to
13 the Brickell area.

14 Q. How about District 1?

15 A. Same thing.

16 Q. Would you make any changes to this map?

17 MR. JOHNSON: Sorry. What map are we
18 talking about?

19 Q. Map 2 -- Plaintiffs' Map 2, would you make
20 any change to that map?

21 A. No.

22 Q. I'm showing you what's been marked as
23 Defendant's Exhibit 82-36, a document with the same
24 document entry number titled P3, Plaintiffs' Map 3.
25 Have you seen this map before?

1 A. Yes.

2 Q. And what is this map?

3 A. P3, Plaintiffs' Map 3.

4 (Defendant's Exhibit 82-36, Map, was
5 marked for Identification.)

6 Q. And did you draw this map?

7 A. No.

8 Q. Do you know who drew this map?

9 A. I do not.

10 Q. Did you have any input in the drawing of
11 this map?

12 A. I gave my opinion. Yes.

13 Q. Do you know when this map was submitted?

14 A. I don't recall the exact date.

15 Q. Was this map done in and around the time
16 of mediation?

17 A. I don't recall.

18 Q. Do you know if this map was submitted
19 shortly before the City of Miami's meeting --
20 commission meeting?

21 MR. TILLEY: Object to the form.

22 A. There was an array of meetings.

23 Q. All right. How about the meeting in June?
24 Do you know whether or not this map was submitted
25 shortly before the commission meeting in June?

1 A. I don't know.

2 Q. Okay. Do you know if any other plaintiffs
3 had any input in drawing this map?

4 A. I don't know.

5 Q. Did you make any specific changes to any
6 of the boundaries in this map?

7 A. I gave my input.

8 Q. What's your input?

9 MR. TILLEY: I'm going to instruct
10 the witness not to answer.

11 Q. All right. Did you give that input to
12 counsel?

13 A. Yes.

14 Q. I'm not going to ask you about that. Did
15 you discuss this map with anybody outside the
16 presence of counsel?

17 A. No.

18 Q. And did you approve this map?

19 A. The commission approves the map.

20 Q. Well, did you approve of this map?

21 A. I think I did. Yes.

22 Q. Okay. Do you have any objection to
23 anything on this map?

24 A. No.

25 Q. Which district would you be in in this

1 map?

2 A. Hard to tell.

3 Q. Do you have any opinion as to whether or
4 not this map splits the neighborhood referred to as
5 Little Havana? And, again, not just limited to the
6 letters on the map, but the actual neighborhood of
7 Little Havana.

8 A. It goes into two districts, I believe.

9 Q. Which two?

10 A. It appears District 3, Commissioner
11 Carollo, and the now indicted commissioner,
12 Portilla.

13 Q. All right. Just for definition, we're
14 going to refer to the district as District 1.
15 Commissioner Diaz De La Portilla is no longer a
16 sitting commissioner at this point in time. Right?
17 I know you're referring to his district; I'm trying
18 to be clear. That's why I'm trying to go 1, 2, 3,
19 4, 5. You're saying it's between 1 and 3. Correct?

20 A. You want me to say 1. Got it.

21 Q. That's how it's labeled on the map so it's
22 easier that way. So you're saying that --

23 MR. TILLEY: Just for clarity, this
24 map is not labeled -- sorry. It is. By
25 colors. My apologies.

1 Q. Okay. So you're saying Little Havana would
2 be split between Districts 1 and 3 in this map?

3 A. Yes.

4 Q. And you're okay with it?

5 A. Yes.

6 Q. Do you know if you would be in District 1,
7 3, or 4 in this map?

8 A. We did an array of maps. I don't remember
9 where I'll be here. If you want me to answer the
10 question I think I'll be in District 4.

11 Q. Okay. But you would be okay with it
12 regardless of which district -- you wouldn't object
13 to it if it ended up being 1 or 3. Right?

14 A. No. I'll go wherever --

15 Q. Does it matter which district you're in,
16 1, 3 or 4?

17 A. No.

18 Q. Okay. Do you have an opinion as to whether
19 or not this map splits any neighborhoods other than
20 Little Havana which we just mentioned?

21 A. No. I think it's a good map.

22 Q. Do you know if it splits Overtown?

23 A. It appears to keeps Overtown intact. The O
24 is in District 1 and V-E-R-T-O-W-N are in
25 District 5.

1 Q. And in your opinion that would be intact?

2 A. It appears. Yes.

3 Q. Okay. How about Omni?

4 A. The majority of the letters are in
5 District 5, and half of the N and I are in
6 District 2.

7 Q. Again, I'm not focusing as much on the
8 letters, but is it your opinion that Omni is split
9 in this map or not?

10 A. Based on this map -- I don't remember.
11 This is probably the third map we submitted. I don't
12 remember.

13 Q. You don't -- you don't have an opinion,
14 looking at this map right now, as to whether or not
15 it splits Omni?

16 A. I don't know if it's -- I know Omni is --
17 the old Herald building is there.

18 Q. You don't have an opinion?

19 A. Correct.

20 Q. Okay. How about Brickell? Do you have an
21 opinion as to whether or not this map splits
22 Brickell?

23 A. It appears it keeps Brickell intact.

24 Q. Even though the lettering spills on both
25 sides?

1 A. Well, the B and the R are in District 3
2 and I-C-K-E-L-L are in District 2.

3 Q. Do you have an opinion as to whether or
4 not it splits Downtown?

5 A. It appears Downtown is intact with down
6 and to in District 1. And I don't know if that is
7 2nd Avenue or what avenue that is separating the
8 Downtown from --

9 Q. Does Downtown go to the water?

10 A. Yes.

11 Q. So that splits the area of the water into
12 District 2, doesn't it?

13 MR. TILLEY: Object to the form.

14 A. Which water?

15 Q. The Downtown waterfront area would be in
16 District 2, wouldn't it?

17 A. Which water? There's --

18 Q. Not the river; talking about Biscayne Bay,
19 the waterfront.

20 A. Okay.

21 Q. That would be in District 2, wouldn't it?

22 A. Correct.

23 Q. Okay. That's two different districts,
24 right, 1 and 2?

25 A. Yes.

1 Q. Okay. You're still okay with this map even
2 if it does split certain neighborhoods as we've just
3 mentioned. Right?

4 A. Yes. I'm okay with this map.

5 Q. Okay. But splitting neighborhoods doesn't
6 necessarily make the map objectionable to you, does
7 it?

8 A. Splitting the map --

9 Q. Splitting the neighborhood. I'm sorry.
10 Let me correct that question. Splitting the
11 neighborhood doesn't necessarily make the map
12 objectionable to you, does it?

13 A. Well, based on the census it needs to be
14 proper and -- you know --

15 Q. And by census proper, you're talking about
16 balancing the population so it's relatively even in
17 every district. Right?

18 A. Correct.

19 Q. Now, this map three, if this also makes
20 District 4 approximately 95 percent Hispanic, you're
21 in that District 4, would you consider that packing?

22 A. I don't know if that's --

23 Q. Look at the number if you want to. It's
24 the same Exhibit 82-12, page 16.

25 A. I'm sorry. You're talking about

1 District 4?

2 Q. Yes. If you look at Plaintiffs' Map 3
3 which is the third table --

4 A. Uh-huh.

5 Q. -- and you go down to the District 4 and
6 you go across to HVAP, it's 95.6 percent Hispanic
7 voting-age population. Right?

8 A. Yes.

9 Q. Same as in Map 2. Correct?

10 A. Yes.

11 Q. Same as in Map 4. Correct?

12 A. I don't have Map 4 yet. But I'm seeing the
13 table. Yes.

14 Q. And P1, in fact, the Hispanic voting-age
15 population in District 4 is 95 percent. Right?

16 A. Yes.

17 Q. So all four maps are either 95 percent or
18 above Hispanic voting-age population in District 4.
19 Correct?

20 A. Yes.

21 Q. Okay. Do you consider that to be packing
22 of Hispanics?

23 A. No.

24 Q. Why not?

25 A. Because people identify Hispanic,

1 including myself. I was born here and I consider
2 myself Hispanic.

3 Q. But why don't you consider having a level
4 at 95 percent or above to be packing of Hispanics?

5 A. Because I don't think -- again, I'm not an
6 expert because based on the Voting Rights Act and
7 the demographics of the City of Miami, major
8 majority of Miami residents are Hispanic.

9 Q. It would be impossible not to create a
10 District 4 that's majority Hispanics, wouldn't it?

11 A. Well, you'd have to go into other areas
12 and the maps, I guess, would look kind of funny.

13 Q. What area would you go into for District 4
14 to make it not Hispanic?

15 MR. TILLEY: Object to the form.

16 A. Yeah. I'm not a map creator.

17 Q. So you don't have an opinion on that.
18 Right?

19 A. Creating maps? No.

20 Q. You don't have an opinion on whether or
21 not it's possible to even make District 4 not
22 majority Hispanic?

23 A. Okay.

24 Q. Okay, you don't have an opinion. Right?

25 A. Correct.

1 Q. All right. But City of Miami is majority
2 Hispanic, isn't it?

3 A. Yes.

4 Q. And no matter how you draw these maps
5 you're going to end up with a bunch of districts
6 that are majority Hispanic; isn't that correct?

7 A. Except excluding District 5 and maybe 2.

8 Q. But you will end up with at least three,
9 won't you?

10 A. Could be, yes.

11 Q. I mean, all of the plaintiffs' maps have
12 three majority Hispanic districts, don't they?

13 A. They do.

14 Q. Have you ever seen a map that didn't have
15 three majority Hispanic districts?

16 A. I don't know.

17 Q. Do you ever recall seeing a proposed map
18 that would not have three majority Hispanic
19 districts?

20 A. I wasn't involved back then.

21 Q. No. I'm just asking you personally if you
22 ever recalled seeing one that doesn't have three
23 majority Hispanic districts?

24 A. I don't -- I don't remember.

25 Q. Okay. Going back to Defendant's 24-83, the

1 document titled 2022 enacted plan.

2 A. Okay.

3 Q. I haven't done Plaintiffs' Map 4 yet so
4 let's do that. Showing you what's been marked as
5 Defendant's 82-37, document of the same docket entry
6 number titled P4, Plaintiffs' Map 4. Have you seen
7 this document before?

8 A. Yes.

9 Q. And what is this?

10 A. P4, Plaintiffs' Map 4.

11 Q. And did you draw this map?

12 A. No.

13 Q. Do you know when this map was drawn?

14 A. I don't recall.

15 Q. Did you have any input in the drawing of
16 this map?

17 A. I had an input, but not in the drawing.

18 Q. You didn't make any specific line changes
19 to anything here, did you? Do you know if any
20 plaintiff did?

21 A. Not sure.

22 Q. And do you have any objections to this
23 map?

24 A. No.

25 Q. Do you know which district you would be

1 living in in this map?

2 A. I don't recall.

3 Q. All right. No matter which district, it's
4 going to be a majority Hispanic district, isn't it?

5 A. Appears so. Yes.

6 Q. And that could be either 1, 3, or 4.
7 Correct?

8 A. Yes.

9 Q. Is Little Havana split between those three
10 districts?

11 A. Little Havana is -- the wording is in
12 the D1.

13 Q. Not asking about the word. I'm asking
14 about the actual neighborhood.

15 A. I think it's split between two districts,
16 District 1 and District 3.

17 Q. And you're okay with this map even if it
18 splits certain neighborhoods. Correct?

19 A. What neighborhood does it split?

20 Q. Well, I mean, does it split Omni?

21 A. The word is in both districts. I don't
22 know.

23 Q. So it might split Omni. Right?

24 A. I don't know.

25 Q. Does it split downtown?

1 A. Seems like Downtown is intact, just the
2 word down and to is in District 1 and the end is in
3 District 2.

4 Q. As labeled, Omni, Downtown, and Brickell
5 are all written across two districts as labeled,
6 aren't they?

7 A. Correct.

8 Q. But even if it's split those neighborhoods
9 you're still okay with this map?

10 A. I don't know if it splits it.

11 Q. But even if -- okay. If it splits them,
12 would you not be okay with this map?

13 A. No. I like the map. I just don't know --

14 Q. It doesn't matter to you if it splits
15 those neighborhoods, does it?

16 A. I just don't know if it splits. But this
17 map was done proper, I would say, with due diligence
18 and input.

19 Q. How do you know it was done with due
20 diligence?

21 A. We carefully crafted and gave input
22 into -- at least I did.

23 Q. Do you know who drew it?

24 A. No, I do not.

25 Q. So how do you know that they did it

1 carefully and --

2 A. I have full faith in my legal team.

3 Q. Okay. Your legal team drew it?

4 A. I don't know.

5 Q. Okay. And if this map puts you in a
6 majority Hispanic district, you're okay with that.
7 Correct?

8 A. Well, based on the expert's report, it
9 appears 95 percent Hispanic. All three districts, 1,
10 4, and 3. So yes.

11 Q. So you wouldn't have any objection to be
12 put in a majority Hispanic district?

13 A. No.

14 Q. I want to bring you back now to the 2022
15 enacted plan, document 24-83, Defendant's 24-83.

16 A. Yes.

17 Q. Now, grab the first amended complaint,
18 document 23 -- Defendant's 23. And turn to page --
19 or to paragraph 31 on page 6. Do you see where it
20 says the enacted plan places Miro and Contreras, and
21 organizational plaintiffs' members, in districts
22 where they are the predominant racial group? The
23 enacted plan sends the message that they were placed
24 in their district simply because of their race.

25 Do you see that?

1 A. Yes. I read it.

2 Q. Do you agree with that?

3 A. Yes.

4 Q. Do you think you were placed in District 3
5 simply because of your race?

6 A. Yeah.

7 Q. You don't think there was any other reason
8 you were in District 3?

9 A. Well, obviously we're 95 percent
10 Hispanics. So I was put there as a Hispanic male
11 into a district.

12 Q. When you moved there in 2014, you were
13 District 3?

14 A. I was in District 3. Yes.

15 Q. Was it a Hispanic area back then?

16 A. I would say yes.

17 Q. Okay. So you moved into a Hispanic
18 District 3, didn't you?

19 A. I did.

20 Q. You weren't placed there by anyone. You
21 moved there. Right?

22 A. I moved there.

23 Q. And this 2022 enacted plan didn't change
24 that, did it?

25 A. Which map? I'm sorry.

1 Q. The 2022 enacted map. That didn't change
2 it, did it? You're still in a Hispanic District 3
3 after that map was enacted, weren't you?

4 A. I believe so.

5 Q. What do you think they should have done
6 instead? Do you think they should have moved you to
7 a non-Hispanic district?

8 A. No. Natural boundaries is what they should
9 have gone by. And based on what the commission was
10 saying on the dais, picking whom they want as their
11 constituents and labeling it totally based on race.

12 Q. So do you think that Carollo was trying to
13 just get race or do you think he was also trying to
14 get over 65, low income housing?

15 A. Going into his intentions, I don't know,
16 but he did get all the Section 8 housing stays
17 intact in his district, including he moved outside
18 of the district coming back into his house. Now
19 that's my opinion.

20 Q. Okay. And that's the Natoma Manors you're
21 pointing at. Right?

22 A. Yes.

23 Q. So in 2022 when they redistricted, no
24 matter how they would have done it, and we looked at
25 all the plaintiffs' different maps, you still would

1 have been in the majority Hispanic district,
2 wouldn't you?

3 A. It appears so, yes.

4 Q. So no map suggested by the plaintiffs
5 would have made any change to your being put into a
6 majority Hispanic district; isn't that correct?

7 A. That's fair.

8 Can I use the restroom?

9 MR. JOHNSON: Absolutely. Good time
10 for a break.

11 (Recess in proceedings.)

12 BY MR. JOHNSON:

13 Q. Who is your current city commissioner?

14 A. District 3, Commissioner Carollo.

15 Q. And do you know what his race or ethnicity
16 is?

17 A. I would say Cuban.

18 Q. And so he's Hispanic?

19 A. Yes.

20 Q. Does it matter to you that he's the same
21 ethnicity as you?

22 A. No.

23 Q. Does it matter if he's a different
24 ethnicity than you?

25 A. No.

1 Q. Do you think there should be a specific
2 ethnicity your commissioner should be?

3 A. No.

4 Q. Do you believe that looking back at the
5 2020 enacted plan that that map made the Hispanic
6 population of 1, 3, and 4 as high as possible?

7 A. I don't know that.

8 Q. So you have no opinion as to whether or
9 not that's correct, do you?

10 A. Yes. I don't know that. I just know the
11 natural boundaries are no longer natural; they are
12 artificial.

13 Q. Do you believe that that plan stripped
14 Hispanics out of District 2?

15 A. District 2 is the green. Right? This one
16 doesn't have a table of contents so --

17 Q. Yeah. District 2 is green.

18 A. Okay.

19 Q. It has actually the number 2. This one is
20 numbered. See the water?

21 A. Yeah.

22 Q. Do you believe that this map stripped
23 Hispanics out of District 2?

24 A. I don't know.

25 Q. Do you believe that map stripped Hispanics

1 out of District 5?

2 A. I don't know. I mean, what are we
3 comparing it to?

4 Q. I'm just asking you in the way that that
5 map was constructed.

6 A. It was constructed with a lot of input
7 from the commissioners about race.

8 Q. Do you think they are not supposed to
9 discuss race?

10 A. They can, but not the way they blatantly
11 handpicked their demographics and what they want and
12 what they didn't want. Again, when they spoke for
13 15 minutes that they wanted a barbecue restaurant, I
14 don't think that's important for a district to have
15 or not have.

16 Q. Or wanted to have the low income housing
17 or the over 65, that sort of thing?

18 A. No. You said that. I was talking about the
19 barbecue restaurant.

20 Q. Okay. I'm just talking about -- you were
21 talking about them discussing race and I asked
22 you --

23 A. Yeah.

24 Q. -- do you think they're not allowed to
25 discuss race?

1 A. No. They can, I guess.

2 Q. Do you have an issue with them discussing
3 race?

4 A. I mean, depends to what extent. Right?

5 Q. Depends on what? For you personally?

6 A. Well, I don't recall what they said
7 verbatim, but some of the stuff I think was absurd
8 in what they were saying.

9 Q. Okay. But you agree they can discuss race
10 or not? I'm trying to --

11 A. Yeah. Sure.

12 Q. Do you have an opinion on what the ethnic
13 breakdown in District 5, the Black district, should
14 be.

15 A. You said it. I think Black.

16 Q. Right. But what percent do you think?

17 A. I don't know.

18 Q. More or less than 50 percent black
19 voting-age population?

20 A. Whatever the voters act dictates.

21 Q. Okay. I'm not asking what the law is. I
22 understand you don't have a legal opinion. I'm just
23 asking if you have an opinion as to what the
24 percentage should be?

25 A. No, I don't.

1 Q. Okay. Do you believe that -- we have the
2 plaintiffs' maps, one, two, three, and four that we
3 looked at that are marked as 82-34 through 37.

4 A. Okay.

5 Q. Do you believe any of these maps strip
6 Hispanics out of District 2?

7 A. District 2? No. I don't think so.

8 Q. Do you believe any of these maps stripped
9 Hispanics out of District 5?

10 A. No. I think these are great maps.

11 Q. All of them?

12 A. One, two, three, and four. Yes.

13 Q. So if there is a particular change in one
14 of these maps, you would agree that it doesn't
15 unconstitutionally gerrymander. Right?

16 A. I'll wait until my attorney gets back. Can
17 you repeat the question?

18 Q. I'm showing you what's been marked as
19 Defendant's 24-39, a document in this case with the
20 same docket entry number titled declaration of
21 Steven Miro.

22 Do you recognize this document?

23 A. Yes.

24 Q. And what is this document?

25 A. Declaration of Steven Miro.

1 Q. And did you sign this document?

2 A. I did.

3 Q. Did you prepare the document?

4 A. I did not.

5 (Defendant's Exhibit 24-39, Declaration, was
6 marked for Identification.)

7 Q. I'm not going to ask you about, again, any
8 conversations with counsel. Did you review any
9 documents in preparation for signing this?

10 A. I don't recall.

11 Q. Other than your attorneys, did you discuss
12 this document with anyone?

13 A. No.

14 Q. Before or after signing it?

15 A. No. I didn't discuss it with anyone.

16 Q. In paragraph 3 it says you're politically
17 engaged and continue to be politically engaged in
18 the future.

19 How are you politically engaged?

20 A. Well, I -- I watch the meetings. I still
21 assist in campaigns in a limited capacity.

22 Q. What campaigns are you assisting in?

23 A. Well, right now it's in the county races.
24 And I'm helping commissioner in District 1.

25 Q. County District 1?

1 A. No. In the city. Trying to clean the city.

2 Q. Who are you helping in District 1?

3 A. Miguel Angel Gabela.

4 Q. Spell his last name for the court

5 reporter.

6 A. G-A-B-E-L-A.

7 Q. Are you serving in the paid capacity?

8 A. No. No.

9 Q. Just volunteering with his campaign?

10 A. Very limited. Not even door knocking or
11 anything. He's a personal friend.

12 Q. So in paragraph --

13 A. Which document?

14 Q. We're still looking at the same document,
15 the declaration. Paragraph 5.

16 A. It's only two pages.

17 Q. No. Paragraph 5.

18 A. Okay.

19 Q. Sorry. Yeah. So when I say paragraph --
20 attorney slang.

21 A. Sorry.

22 Q. Paragraph 5 says, as a resident of the
23 newly enacted city commission District 3, I'm
24 concerned that Hispanic residents like me have been
25 packed into my district on the basis of their race.

1 A. Yes.

2 Q. Do you still agree with that statement?

3 A. Yeah.

4 Q. Do you believe that any of the plaintiffs'
5 maps 1 through 4 pack Hispanics in District 3 based
6 on their race?

7 A. They pack Hispanics, yes, but the way the
8 commission packed the Hispanics was erroneous and
9 outrageous and so therefore --

10 Q. Why?

11 A. Because the way they were blatantly
12 speaking about race and who they wanted in their
13 districts, who they did not want was -- was an issue
14 and the way they interjected themselves in other
15 districts. It's my opinion.

16 Q. And by interjecting themselves in other
17 districts, you're talking about Commissioner
18 Carollo's house in the Natoma Manors area. Right?
19 Is that what you mean?

20 A. Which area? I'm sorry. Natoma Manors?

21 Q. Yes. I'm looking -- if you look at the
22 2022 map -- the 2022 enacted plan. When you're
23 talking about --

24 A. Yes.

25 Q. -- in other districts, is that what you're

1 referring to?

2 A. Yes. It goes into the Coconut Grove area.

3 Q. But you don't think that that move packed
4 initial Hispanics into District 3, do you?

5 A. No. No. It just -- it's moving from one
6 area to another taking the district along with him.

7 Q. So that wasn't a packing of race reason,
8 was it? You don't think that?

9 A. No. That's just a personal and -- a
10 personal reason why he moved there. And also so
11 they don't take his house from him in that 63
12 million-dollar judgment. Shield his property so --
13 that's my opinion. And now we come to find out the
14 District 1 now indicted commissioner lived 56 days
15 outside of the district as well so --

16 Q. Looking at paragraph 7 of --

17 A. Oh, yes.

18 Q. It says you're worried that Little Havana
19 is split into three districts and that the
20 commission seems to have done so deliberately to
21 allocate Hispanic residents into different
22 districts.

23 A. Yes.

24 Q. Do you still agree with that statement?

25 A. Yes.

1 Q. Okay. You do understand that some of the
2 plaintiffs' plans also split up Little Havana; is
3 that correct?

4 A. Yes.

5 Q. And in all the plans we looked at you
6 would still be allocated to a Hispanic district,
7 wouldn't you?

8 A. Yes.

9 Q. In fact, no plans suggested by the
10 plaintiffs wouldn't have the effect of putting you
11 in a Hispanic district, would it?

12 A. Correct.

13 Q. On paragraph 8 you said you're concerned
14 Miami residents are not fairly represented on the
15 city commission as a result of the way the
16 commission drew its maps, including District 5.

17 Who do you think should be on the city
18 commission?

19 A. I think the District 5 is a typo. Sorry. I
20 signed it, but it's supposed to say District 3.

21 Q. So you're not referring to District 5
22 there at all, you're referring to District 3? It's a
23 typo?

24 A. Right. I know there was a typo in here.

25 Q. Well, typos happen. So you're saying that

1 should be District 3. Right?

2 A. I mean, let me read it again. Sorry.

3 Q. Sure.

4 A. I guess. Yeah. That's fair. Yes.

5 Q. What's fair? That that should be
6 District 3?

7 A. No. I could say District 5.

8 Q. Okay. So you don't think District 5 is
9 represented on the city commission?

10 A. No. I think it is. But the way
11 Commissioner King wanted to -- and, again, I just
12 helped with the District 3 map. But District 5
13 didn't want to go further east interjecting
14 Morningside, which getting more area there so she
15 wanted to fine tune it and going into economic
16 development area where there is no residential
17 value, it's just economic value.

18 Q. I'm asking if you think District 5 is
19 fairly represented on the city commission.

20 A. No. Again, I --

21 Q. You think it's a racial representation?

22 A. I think she represents the area.

23 Q. In terms of ethnic representation, do you
24 think that the ethnic representation on the city
25 commission is unfair?

1 A. In my opinion, I think it's unfair that
2 you cannot speak in front of the commission and
3 interject your opinion on any item without getting
4 berated. You have two minutes and they have an hour
5 of berating you and making PowerPoint presentations
6 or what have you.

7 Q. Have you spoken at these city commission
8 meetings?

9 A. I have signed up to speak. I think I spoke
10 once and I decided not to speak because then they
11 berate you.

12 Q. Okay. So I'm not asking now about speaking
13 before the city commission. I'm just asking about
14 representation on the city commission. Do you think
15 that the ethnic makeup of the city commission is
16 unfair?

17 A. The way it is now?

18 Q. Yeah.

19 A. No. I think it's fair.

20 MR. JOHNSON: Just go ahead and give
21 me a minute.

22 (Recess in proceedings.)

23 BY MR. JOHNSON:

24 Q. Do you personally have any opinion on what
25 the borders of Overtown are?

1 A. Personal opinion?

2 Q. Yeah. Do you have any definition of what
3 those borders are?

4 A. No.

5 Q. Okay.

6 MR. JOHNSON: No further questions.

7 MR. TILLEY: We'll read.

8

9 (Thereupon, the taking of the deposition was
10 concluded at 11:15 a.m.)

11 (Signature and formalities were not waived.)

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1 RE: Grace, Inc., et al v. City of Miami
2 DEPO OF: Steven Miro
3 TAKEN: Wednesday, October 4th, 2023

4 EXCEPT FOR ANY CORRECTIONS
5 MADE ON THE ERRATA SHEET BY
6 ME, I CERTIFY THIS IS A TRUE
7 AND ACCURATE TRANSCRIPT.
8 FURTHER DEPONENT SAYETH NOT.

9 _____,
10 STEVEN MIRO

11 STATE OF FLORIDA)
12) SS:
13 COUNTY OF MIAMI DADE)

14 Sworn and subscribed to before me this
15 _____ day of _____, 20____.
16 PERSONALLY KNOWN _____ OR ID. _____

17 _____
18 Notary Public in and for
19 the State of Florida at
20 Large.

21 My commission expires:
22
23
24
25

ERRATA SHEET

IN RE: Grace, Inc., et al v. City of Miami

DEPOSITION OF: Steven Miro

TAKEN: Wednesday, October 4th, 2023

DO NOT WRITE ON TRANSCRIPT - ENTER ANY CHANGES HERE

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State of Florida:

County of _____:

Under penalties of perjury, I declare that I have read my deposition transcript, and it is true and correct subject to any changes in form or substance entered here.

_____	_____
DATE	STEVEN MIRO

CERTIFICATE OF OATH

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

I, Mayra Texeira, Court Reporter and Notary
Public in and for the State of Florida at Large,
certify that the witness, STEVEN MIRO, personally
appeared before me on October 4th, 2023 and was duly
sworn by me.

Signed this 18th day of October, 2023.



MAYRA TEXEIRA, Court Reporter
Notary Public - State of Florida
COMMISSION NO. HH 12099
EXPIRES JUNE 26, 2024

CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

I, MAYRA TEXEIRA, Court Reporter, do hereby
certify that I was authorized to and did
stenographically report the deposition of
STEVEN MIRO; that a review of the transcript was not
waived; and that the foregoing transcript,
pages 1 through 83, is a true and complete record of
my stenographic notes.

I FURTHER CERTIFY that I am not a relative,
employee, attorney or counsel of any of the parties,
nor am I a relative or employee of any of the
parties' attorney or counsel connected with the
action, nor am I financially interested in the
action.

Dated this 18th day of October, 2023.



MAYRA TEXEIRA, Court Reporter

1 DANIEL TILLEY, ESQUIRE
dtilley@accluf1.org

2
3 October 18th, 2023

4 RE: Grace, Inc. Rt Al. v. City Of Miami
10/4/2023 - Steven Miro - Job# 6121370

5
6 The above-referenced transcript is available for
7 review.

8 Steven Miro should read the testimony to
9 verify its accuracy. If there are any changes,
10 Steven Miro should note those with the reason
11 on the attached Errata Sheet.

12 Steven Miro should, please, date and sign the
13 Errata Sheet and email to the deposing attorney as well as
14 to Veritext at Transcripts-fl@veritext.com and copies will
15 be emailed to all ordering parties.

16 It is suggested that the completed errata be returned 30
17 days from receipt of testimony, as considered reasonable
18 under Federal rules*, however, there is no Florida statute
19 to this regard.

20 If the witness fails to do so, the transcript may be used
21 as if signed.

22 Yours,
23 Veritext Legal Solutions
24

*Federal Civil Procedure Rule 30(e)/Florida Civil Procedure
25 Rule 1.310(e).

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FLORIDA RULES OF CIVIL PROCEDURE

Rule 1.310

(e) Witness Review. If the testimony is transcribed, the transcript shall be furnished to the witness for examination and shall be read to or by the witness unless the examination and reading are waived by the witness and by the parties. Any changes in form or substance that the witness wants to make shall be listed in writing by the officer with a statement of the reasons given by the witness for making the changes. The changes shall be attached to the transcript. It shall then be signed by the witness unless the parties waived the signing or the witness is ill, cannot be found, or refuses to sign. If the transcript is not signed by the witness within a reasonable time after it is furnished to the witness, the officer shall sign the transcript and state on the transcript the waiver, illness, absence of the witness, or refusal to sign with any reasons given therefor. The deposition may then be used as fully as though signed unless the court holds that the reasons given for the refusal to sign require rejection of

the deposition wholly or partly, on motion under rule 1.330(d)(4).

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